

AMENDED IN ASSEMBLY AUGUST 5, 1996

AMENDED IN ASSEMBLY APRIL 23, 1996

AMENDED IN SENATE MARCH 23, 1995

SENATE BILL

No. 98

Introduced by Senator Greene

January 12, 1995

An act to amend Section 42247.1 of the Education Code, relating to school desegregation.

LEGISLATIVE COUNSEL'S DIGEST

SB 98, as amended, Greene. School districts: voluntary desegregation plans.

Existing law requires that, prior to reimbursement for certain costs incurred by school districts for voluntary desegregation, the governing board of a school district submit to the Superintendent of Public Instruction and the Controller a copy of the district's desegregation plan, which the governing board has certified is the latest adopted plan.

This bill would specify that the "Administrative Recommendations and Action Plans for Implementing a Voluntary Desegregation Plan in the Sacramento City Unified School District," adopted February 29, 1988, and as subsequently amended, is the latest adopted plan for the Sacramento City Unified School District.

This bill would make a legislative finding and declaration of unique circumstances in this regard.

The bill would also specify for the Sacramento Unified School District 1990-91 as the base year for calculating the

state reimbursement to the district and would include in the base year expenditures for the district expenditures ~~for the funded by federal magnet program~~ local assistance, as specified. The bill would permit the Sacramento Unified School District to submit new claims for reimbursement beginning with the 1990–91 fiscal year. *The bill would provide that the Sacramento City Unified School District is not eligible to submit new claims for retroactive state reimbursement as a result of the recalculation of the 1990–91 base fiscal year.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42247.1 of the Education Code is
2 amended to read:

3 42247.1. (a) Prior to reimbursement pursuant to
4 Section 42243.9 or 42249, the governing board of a school
5 district shall submit to the Superintendent of Public
6 Instruction and the Controller a copy of the district's
7 desegregation plan, which the governing board has
8 certified is the latest adopted plan. If the court order for
9 desegregation encompasses the total school district
10 desegregation plan adopted by the governing board, the
11 governing board may submit a copy of the court order to
12 comply with this section.

13 (b) For the purposes of subdivision (a), the
14 "Administrative Recommendations and Action Plans for
15 Implementing a Voluntary Desegregation Plan in the
16 Sacramento City Unified School District," adopted
17 February 29, 1988, and as subsequently amended, shall be
18 the latest adopted desegregation plan for the Sacramento
19 City Unified School District.

20 SEC. 2. It is the intent of the Legislature to recognize
21 that the "Administrative Recommendations and Action
22 Plans for Implementing a Voluntary Desegregation Plan
23 in the Sacramento City Unified School District," adopted
24 February 29, 1988, and as subsequently amended, is the
25 latest adopted desegregation of the school district and to
26 declare the intent of the Legislature that any proposed

1 plan of the school district that was previously used for the
2 purposes of Section 42247.1 no longer be used for that
3 section.

4 SEC. 3. The Sacramento Unified School District is
5 currently operating a voluntary desegregation program.
6 The costs for the program exceed the state's funding
7 formula. In order for the Sacramento Unified School
8 District to maintain this much needed program, the base
9 fiscal year for all state reimbursement calculations for the
10 district's voluntary desegregation program shall be the
11 ~~1990-91 fiscal year. The expenditures for the district's~~
12 ~~federal magnet program shall be included in the 1990-91~~
13 *1990-91 fiscal year. Expenditures funded by federal local*
14 *assistance allocation shall not be included in the 1990-91*
15 *base fiscal year. The Sacramento Unified School District*
16 ~~may submit a new claim for state reimbursement for its~~
17 ~~voluntary desegregation program for 1990-91 and~~
18 ~~subsequent fiscal years, but the district shall not be~~
19 ~~reimbursed for expenditures funded by the federal~~
20 ~~magnet program shall not be eligible to submit new~~
21 *claims for retroactive state reimbursement as a result of*
22 *the recalculation of the 1990-91 base fiscal year. The*
23 *claimed costs shall be subject to an audit of the*
24 *expenditures in accordance with the standards and*
25 *procedures for audits of voluntary and court ordered*
26 *desegregation programs issued by the office of the*
27 *Controller.*

28 SEC. 4. The Legislature finds and declares that due to
29 the unique circumstances in Sections 2 and 3 of this act
30 regarding the Sacramento City Unified School District, a
31 general statute cannot be made applicable within the
32 meaning of Section 16 of Article IV of the California
33 Constitution.

